

C O U N C I L   C O M M U N I C A T I O N

TO:     THE CITY COUNCIL  
FROM:   THE CITY MANAGERS OFFICE

COUNCIL MEETING DATE:  
SEPTEMBER 7, 1988

SUBJECT:   ADOPTION OF ORDINANCE NO. 1431 - AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING  
             TITLE 9 OF THE LODI MUNICIPAL CODE, BY ADDING THERETO CHAPTER 9.20, REGULATING  
             THE CONDUCT OF GARAGE SALES

Ordinance No. 1431 - "An Ordinance of the Lodi City Council Amending Title 9 of the Lodi Municipal Code, by Adding Thereto Chapter 9.20, Regulating the Conduct of Garage Sales" was introduced at the regular meeting of August 17, 1988.

Pursuant to State Statute, ordinances may be adopted five days after their introduction following reading by title.

This Ordinance has been approved as to form by the City Attorney.

RECOMMENDED ACTION:   Following reading by title, it would be appropriate for the Lodi City Council to adopt Ordinance No. 1431.

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

AMR:jj

COUNCOM6  
TXTA.02D

ORDINANCE NO. 1431

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING TITLE 9 OF THE LODI MUNICIPAL CODE, BY ADDING THERETO CHAPTER 9.20, REGULATING THE CONDUCT OF GARAGE SALES.

BE IT ORDAINED BY THE LODI CITY COUNCIL:

SECTION 1. Lodi Municipal Code Title 9 - Public Peace, Morals and Welfare - *is* hereby amended by adding thereto Chapter 9.20 - Regulating The Conduct of Garage Sales - as follows:

9.20.010. Garage sale defined.

"Garage sale" shall mean a yard sale, patio sale, garage sale, or any similar sale of merchandise consisting of personal items, **by** an individual or group, for profit, ~~when~~ the merchandise to be sold is offered to the general public, all of which sales shall be conducted within a building and/or on private property in residential zones. "Garage sale" shall not include items purchased for resale.

9.20.020 ~~Time, place and manner restrictions.~~

A. Garage sales shall be limited to two per calendar year, of a duration not longer than three consecutive days, or one garage sale per calendar year for a duration **of** not more than six days for each person, family, group or location.

B. Such garage sales shall not **be** conducted before 7:00 a.m. or after 7:00 p.m. on the permitted days.

C. Garage sales shall not be restricted as to location because of the zoning regulations, except that such sales may be conducted on private property and shall not be permitted on public sidewalks, alleys, streets, or other public rights of way.

9.20.030 Signs.

Signs advertising a garage sale may be placed or erected at any location where otherwise legally permissible, subject to the following conditions:

A. No such sign shall exceed four square **feet** in area;

B. No such sign shall be displayed more than twenty four hours prior to, nor more than twenty four hours following the event advertised thereon. All signs posted pursuant to this section shall specify on the face of such sign the dates of the garage sale advertised.

9.20.040 Violation.

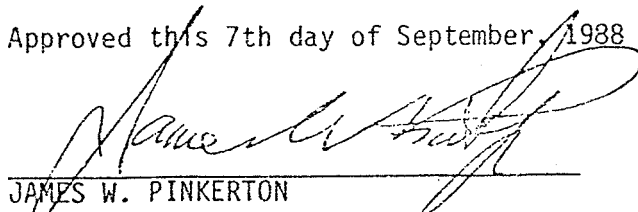
Every person who, for himself or herself or as an agent of another, commences, engages in, conducts or carries on any

garage sale in violation of this chapter shall be guilty of an infraction.

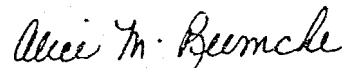
SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 7th day of September, 1988

  
JAMES W. PINKERTON  
Mayor

Attest:

  
ALICE M. REIMCHE  
City Clerk

State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1431 **was** introduced at a regular meeting of the City Council of the City of Lodi held August 17, 1988 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held September 7, 1988 by the following vote:

Ayes : Council Members - Hinchman, Olson, Reid, Snider and  
Pinkerton (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

I further certify that Ordinance No. 1431 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

  
ALICE M. REIMCHE  
City Clerk

Approved as to Form

  
BOBBY W. McNATT  
City Attorney